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Agenda No. 4  
01/27/04

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

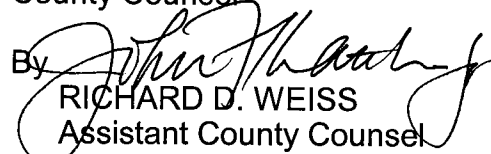
**Re: CONDITIONAL USE PERMIT NUMBER 97-172-(5)  
FIFTH SUPERVISORIAL DISTRICT - THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced permit which seeks authorization for the construction, operation and maintenance of a commercial plaza consisting of retail and service facilities on 2.74 acres located at 27737 Ferguson Drive, in the Castaic Canyon Zoned District. At the conclusion of the hearing, you indicated an intent to approve the permit and instructed us to prepare the appropriate findings and conditions for approval. Enclosed are proposed findings and conditions for your consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.  
County Counsel

By   
RICHARD D. WEISS  
Assistant County Counsel  
Public Works Division

APPROVED AND RELEASED:

  
RAYMOND G. FORTNER, JR.  
County Counsel

RDW/

Enclosures

HOA.300008.1

**FINDINGS OF THE BOARD OF SUPERVISORS  
AND ORDER  
CONDITIONAL USE PERMIT CASE NUMBER 97-172-(5)**

1. The applicant is requesting a conditional use permit to authorize the construction, operation, and maintenance of a commercial plaza consisting of retail and service facilities on 2.74 acres located at 27737 Ferguson Drive, Castaic, in the Castaic Canyon Zoned District.
2. The subject property is flat and triangular in shape. Access to the property is via The Old Road to the east.
3. The subject property is currently zoned C-3 (Unlimited Commercial) and A-1-7,000 (Light Agriculture, 7,000 square feet minimum required area). Concurrent with this approval, the Board of Supervisors ("Board") has approved Zone Change Case No. 97-172, changing the zoning on the subject property to C-3-DP (Unlimited Commercial, Development Program). Approval of this permit will not become effective until the ordinance effecting the proposed changes of zone has become effective.
4. The project is consistent with the proposed C-3-DP zoning classification. Section 22.28.180 of the County Code provides that retail and service uses are permitted in the C-3 zone, and pursuant to Section 22.40.040 of the County Code, property in a DP zone may be used for any use permitted in the basic zone, subject to the conditions and limitations of a conditional use permit and approved development program contained therein.
5. Surrounding zoning consists of M-1 (Light Manufacturing) to the north and east, and A-1-7,000 to the south and west.
6. The subject property consists of six parcels. Five parcels are vacant, and one parcel is developed with a single family residence, which is proposed to be demolished. The parcel containing the single family residence is one of the parcels which is the subject of the change of zone from A-1-7,000 to C-3-DP and is located in the southwest corner of the subject property.
7. Surrounding land uses consist of the Golden State Freeway to the north and east, and single-family residences to the south and west.
8. The project site is within the Urban 2 (U2) land use classification as shown on the Land Use Policy Map in the Santa Clarita Valley Area Plan ("SCVAP"). This classification allows residential densities of 3.4 to 6.6 dwelling units per acre and does not address non-residential uses. However, the Community Commercial Policy of the SCVAP Land Use Classifications (Policy V.B.3.a.1) provides that in

addition to areas designated "Commercial" on the Land Use Policy Map, other appropriate areas may be developed with locally serving enterprises and small multi-use centers subject to the following Unmapped Community Commercial Conditions for Development:

a. Location

- i. The proposed use should be located on major roadways or at community focal points such as major intersections and established neighborhood shopping facilities. (Policy C.5/"Location"/a.)
- ii. The proposed use should be located and designed so as not to invade or disrupt sound existing residential neighborhoods nor conflict with established community land use, parking, and circulation patterns. (Policy C.5/"Location"/b.)
- iii. The necessary public services should be readily available. (Policy C.5/"Location"/c.)

b. Scale

- i. The scale of local service uses, in terms of acreage and permitted floor areas, should be limited to that which can be justified by local community and neighborhood needs. In most instances, such uses, individually or in aggregate, should not exceed five acres in size. (Policy C.5/"Scale"/a.)
- ii. The height of the proposed service facilities should not exceed the general profile established by existing uses, and should in no event exceed that permitted in the neighboring residential development. (Policy C.5/"Scale"/b.)
- iii. The overall scale and intensity of proposed local service uses should be in keeping with the surrounding neighborhood or community setting. (Policy C.5/"Scale"/c.)

c. Design

- i. The site should be, to the extent possible, compact and regular in shape to minimize impacts upon adjacent noncommercial developments. (Policy C.5/"Design"/a.)
- ii. The facility should be designed and operated in such a fashion as to minimize the negative impacts upon adjacent properties:
  - (a) All outdoor lighting should be oriented away from adjacent residential areas. (Policy C.5/"Design"/b.1)

- (b) All parking lot and loading areas shall be suitably screened from adjacent residences to minimize noise, fumes, etc. (Policy C.5/"Design"/b.2)
  - (c) The site should be landscaped so as to cause it to blend into the surrounding area more easily. (Policy C.5/"Design"/b.3)
  - (d) Development of the site should reflect locally recognized architectural themes and enhance overall community character. (Policy C.5/"Design"/b.4)
  - (e) Consideration should be given to appropriate hours of operation. (Policy C.5/"Design"/b.5)
  - (f) All roof equipment should be screened from the view of adjacent residents. (Policy C.5/"Design"/b.6)
- iii. Local commercial signs and graphic displays should generally be confined to the facade surface of the business establishment and should not project above the roof line nor disrupt the architectural design of the structure. (Policy C.5/"Design"/c.)
- iv. With the exception of a monument sign which lists the tenants within the development, free-standing signs should generally be discouraged and permitted only when a need exists and where they are determined to be aesthetically and functionally appropriate. (Policy C.5/"Design"/d.)
- d. Access and Traffic
  - i. The design of the project should insure that anticipated traffic generation does not adversely affect conditions on adjacent streets and highways. Wherever possible, access from adjacent interior residential streets should be prohibited. (Policy 5/"Access and Traffic"/a.)
  - ii. Access, egress, and on-site parking should be provided in a manner which maximizes safety and convenience, and minimizes adverse impacts on surrounding neighborhood and community land use patterns. (Policy 5/"Access and Traffic"/b.)

The project meets the criteria listed above in that: 1) the project fronts on The Old Road, a major road within the Castaic Community; 2) the project has been designed to be sufficiently buffered from the adjacent residential neighborhood; 3) necessary public services are available; 4) the size of the proposed development, a six building mixed-use center, is

appropriately proportioned to local and community needs and is less than five acres in size; and 5) the development has been designed not to adversely affect traffic conditions on adjacent streets and highways and access from residential streets to the development is prohibited.

Accordingly, the Board determines that the project, as proposed and with the attached conditions and restrictions, is consistent with the Urban 2 land use classification and complies with the applicable conditions for community commercial development in the SCVAP.

9. In addition, the proposed commercial plaza conforms to the following goals and is consistent with the following policies of the Countywide General Plan:
  - a. Goal: To maintain and enhance the quality of existing residential neighborhoods.  
  
Policy: Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design, and locational controls. (P4)
  - b. Goal: To situate commercial activities in viable clusters that conveniently serve their market areas.  
  
Policy: Place major emphasis on channeling new intensive commercial development into multipurpose centers. (P6)
  - c. Goal: To encourage high quality design in all development projects, compatible with, and sensitive to, the natural and manmade environment.  
  
Policy: Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise, noxious fumes, glare, shadowing, and traffic. (P15)
10. There are no previous zoning cases noted on the subject property.
11. The applicant's site plan, labeled Exhibit "A," page 1 of 3, depicts the 2.74-acre subject property developed with six commercial buildings with appurtenant parking and landscaping. The buildings are depicted on the west and south sides of the triangular shaped parcel, with parking along The Old Road. One hundred forty-four parking spaces are depicted (136 standard, eight accessible to persons with disabilities). Access to the site is via two driveways from The Old Road to the east. The applicant has also provided a colored site plan of the proposal, which depicts architectural detailing such as landscaping, covered walkways, turrets, and a water fountain.

12. The applicant has provided elevations of all proposed structures, labeled Exhibit "A," pages 2 and 3. The single-story structures are dimensioned at a height of 17'0" above finished grade. The decorative turrets and arches are dimensioned at differing heights, with a maximum height of 25'0" above finished grade. The applicant has also provided color elevations of the proposed site.
13. At the public hearing before the Board, there was limited oral testimony and written testimony received in opposition to the project. The Board determined that with the attached conditions, the proposal met the burden of proof for issuance of a conditional use permit and the project can be implemented without adverse impacts.
14. The proposed project complies with the development standards of the C-3 zone, as set forth in Section 22.28.220 of the County Code, as follows:
  - a. Pursuant to Section 22.28.220.A. of the County Code, no more than 90 percent of the net area of the subject property shall be occupied by buildings, with a minimum of ten percent of the net area landscaped with a lawn, shrubbery, flowers, and/or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscaped area. The applicant's site plan depicts approximately 21 percent of the net area occupied by buildings. The site plan depicts 21,000 square feet of landscaping, or approximately 18 percent of the net area. The applicant's site plan is in compliance with the lot coverage and landscaping requirements of the C-3 zone.
  - b. Pursuant to Section 22.28.220.B. of the County Code, parking facilities shall be provided as required by Part 11 of Chapter 22.52. Pursuant to the County Code, the parking requirements for the proposed commercial development are as follows:

Commercial - retail

(1) space/250 square feet of building

Restaurants -

(1) space/each three persons based on the occupant load determined by the County Engineer

Pursuant to Section 22.52.1084 of the County Code, every nonresidential use shall provide and maintain on-site loading and unloading spaces as required by that section. As a result, one Type "A" (24 feet in length by 12 feet in width) loading space shall be provided for Restaurant "A" and Restaurant "B," and this loading space may be shared as the restaurants are adjacent. One Type "A" loading space shall be provided for the retail/office building. This number of loading spaces may be modified but not waived by the Director of Planning in special circumstances involving,

but not limited to, the nature of the use and design of the project. In no event, however, shall the Director require less than one loading space on the subject property.

Per Section 22.52.1060.E.2 of the County Code, a minimum of two percent of the gross area of the parking lot shall be landscaped. Landscaping shall be distributed throughout the parking lot, so as to maximize the aesthetic effect and compatibility with adjoining areas.

The site plan submitted by the applicant, dated February 10, 2003, depicts the following commercial building square footage which is used to calculate the commercial/retail parking requirement.

17,000 square feet retail space/250 = 68 parking spaces required

As the restaurants are proposed and not existing, there is no occupant load determination by the Director of Public Works. The applicant is providing 70 parking spaces for the restaurants. This number of allotted parking spaces will be used in the parking calculations when a restaurant application has been submitted under the Revised Exhibit "A" process. In addition, when the actual restaurants are designed for the site, the parking calculations will need to be verified based on the occupant load determined by the Director of Public Works.

Total parking spaces required = 138 spaces required

For 138 parking spaces, the Americans with Disabilities Act (ADA) requires six spaces accessible to and reserved for persons with disabilities and one of these shall be van-accessible.

The applicant's site plan depicts 144 parking spaces, 138 standard, and eight accessible to persons with disabilities. Although no van-accessible handicapped parking space is dimensioned on the site plan, it appears it has been provided. No loading spaces are depicted on the site plan. A minimum of one Type "A" loading space shall be provided.

- c. Any outside display and storage shall conform to Sections 22.28.220.C and D of the County Code. The applicant is not proposing any outside display or storage as part of this request.

- 15. The applicant has not provided any sign plans or elevations. As a condition of approval of this grant, the applicant will be required to submit sign plans and elevations in compliance with Section 22.52.870 of the County Code and with Policy V.C.5 of the SCVAP.

16. The applicant is required to submit a development program, consisting of a plot plan and a progress schedule, in accordance with Section 22.40.050 of the County Code. The plot plan shall show the location of all proposed structures, the alteration or demolition of any existing structures, and development features, including grading, yards, walks, landscaping, height, bulk and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area. The applicant has provided a site plan depicting the proposed development on the property, but the site plan does not show the existing single-family residence that will be demolished. As a condition of approval of this grant, the applicant will be required to submit a revised site plan that depicts all required features.
17. Pursuant to Section 22.40.050.B. of the County Code, a progress schedule shall be provided, which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made. The applicant has indicated the project will be completed in one phase.
18. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act ("CEQA") and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical, water quality, and traffic/access impacts. Based on the Initial Study and project revisions, a Mitigated Negative Declaration was prepared for this project. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions show that there is no substantial evidence, in light of the whole record before the Board, that the project as revised may have a significant effect on the environment. Conditions or changes in the proposed project are necessary in order to assure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program. The applicant will be required to comply with all provisions in the Mitigation Monitoring Program as a condition of approval of this grant.
19. Staff received comments regarding this request from the Department of Public Works, Traffic and Lighting Division and Subdivision Mapping Section, the California Department of Transportation, and the California Department of Conservation. Where appropriate, their comments have been included as conditions of approval of this grant.



20. The applicant presented his proposal to the Castaic Area Town Council and the Town Council's Land Use Committee in October 2001. The Council provided a letter of unanimous support with recommended conditions. Where appropriate, the Town Council's conditions have been included as conditions of approval of this grant.
21. There is no request for the on-site or off-site sale of alcoholic beverages within any store or restaurant included with this proposal. The applicant would be required to apply for a conditional use permit to allow alcoholic beverage sales at the commercial plaza.
22. Compliance with the recommended conditions of approval and mitigation measures, and with the development program for the subject property, will ensure compatibility with surrounding land uses.

**BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:**

- A. That the proposed use will be consistent with the adopted general plan for the area;
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required; and
- E. That the development program will provide necessary safeguards to insure completion of the proposed development by the applicant forestalling substitution of a lesser type of development contrary to the public convenience, welfare, or development needs of the area.

**THEREFORE, THE BOARD OF SUPERVISORS:**

1. Approves the Mitigated Negative Declaration together with all comments received during the public review process. The Commission finds on the basis on the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program for the project.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 97-172-(5) is APPROVED, subject to the attached conditions and further subject to approval by the Board of Supervisors of Zone Change Case No. 97-172-(5).

**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT NUMBER 97-172-(5)**

1. This grant authorizes the use of the subject property for commercial retail/service facilities, consisting of a commercial plaza with a bank, restaurants, retail/office buildings, and appurtenant parking and landscaping, as depicted on the approved Revised Exhibit "A," subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning ("Department") their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition Nos. 10 and 12. Further, this grant shall not be effective unless and until the Board of Supervisors has adopted Zone Change Case No. 97-172-(5), and an ordinance reflecting such change of zone has become effective.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the Department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

- 6. This grant shall expire unless used within two years from the date of approval. A one-year time extension may be requested in writing with payment of the applicable fee, at least six months before the expiration date.
- 7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
- 8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property, as applicable.
- 9. This grant will terminate in 25 years following approval by the Board of Supervisors. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new conditional use permit application shall be filed with the Department at least six months prior to the termination date of this permit, whether or not any modification of the use is requested at that time.
- 10. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$3,750.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval as well as adherence to development in accordance with the approved site plan on file. The fund provides for 25 annual inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse the Department for all additional inspections

and for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
12. Within five days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code. The project is not de minimus in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to section 711.4 of the Fish and Game Code. The current fee amount is \$1,275.00.
13. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said department.
14. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
15. The subject property shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
16. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
17. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

18. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
19. Within 60 days of the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of revised plans, similar to Exhibit "A" as presented at the public hearing, that depict the following: 1) all required and proposed project changes; 2) all development program features required by Section 22.40.050.A of the County Code, including the location of all proposed structures, the alteration or demolition of any existing structures, and development features including grading, yards, walls, walks, landscaping, height, bulk and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as may be needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area; 3) driveway and access aisles fully dimensioned; 4) a minimum of 138 on-site standard parking spaces; six spaces shall be accessible to and reserved for persons with disabilities, one of which shall be van-accessible; one Type "A" loading space shall be provided; typical parking spaces shall be dimensioned; 5) a landscape table which depicts a minimum of two percent of the parking lot landscaped (setback landscaping does not count towards this calculation); 6) all architectural details labeled, such as "water fountain;" and 7) the outline of the single-family residence that is to be demolished. The property shall be graded, developed and maintained in substantial conformance with the approved revised Exhibit "A." In the event that subsequent revised plans are submitted, the permittee shall submit three copies of the proposed plans to the Planning Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner.
20. The permittee shall present its proposed design for landscaping along the Ferguson Drive frontage to the Castaic Town Council's Land Use Committee for its review and comment. Prior to obtaining any building or grading permit, the permittee shall submit to the Planning Director for review and approval three copies of a landscape plan together with the Committee's comments on the Ferguson Drive landscape design. The landscape plan, which may be incorporated into a revised Exhibit "A," shall show the size, type, and location of all plants, trees, and watering facilities on the subject property. The permittee shall maintain all landscaping in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing, and replacement of plants when necessary, for the life of this grant.
21. The permittee shall present a proposed signage plan to the Castaic Town Council's Land Use Committee for its review and comment prior to review by the Director. All proposed signs shall be developed in accordance with Part 10 of Chapter 22.52 of the County Code. Commercial signs and graphic displays shall be confined to the façade surface of the business establishment and shall not

project above the roofline or disrupt the architectural design of the structure. No billboards are permitted on the subject property. Prior to the installation of any signs on the subject property, the permittee shall submit to the Director for review and approval three copies of dimensioned sign elevations for all proposed signs together with the Committee's comments on the signage plan.

22. Prior to obtaining any building permit for the proposed project, the permittee shall present the proposed building materials, finishes and colors to the Castaic Town Council's Land Use Committee for its review and comment.
23. Within 60 days of the approval date of this grant, the permittee shall submit to the Planning Director for review and approval a revised progress schedule which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made, as required by Section 22.040.050.B of the Los Angeles County Code.
24. The following development program conditions shall apply:
  - a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the development program shall be built, erected, or moved onto any part of the property;
  - b. No existing building or structure which is to be demolished shall be used;
  - c. All improvements shall be completed prior to the occupancy of any structures; and
  - d. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.
25. All project revisions set forth as "Project Conditions/Changes due to Environmental Evaluation" in the Mitigated Negative Declaration, dated June 20, 2000, are incorporated herein by reference and made conditions of this grant. The permittee shall comply with all mitigation measures in accordance with the Mitigation Monitoring Program on file at the Department. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Department for approval. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
26. The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Planning Director, to ensure that all applicable mitigation measures are implemented and reported in the required Mitigation Monitoring Reports.

27. The construction, operation, and maintenance of the proposed use shall be further subject to all of the following restrictions:
- a. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;
  - b. Project grading and construction and appurtenant activities, including engine warm-up, shall be limited to those hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 8:00 a.m. and 5:00 p.m. Saturday. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby offices, residences, and neighborhoods. Generators and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences. Parking of construction workers' vehicles shall be on site and restricted to areas buffered from residences located to the south and east of the subject property;
  - c. A minimum of 138 on-site standard automobile parking spaces, developed to the specifications provided in Section 22.52.1060 of the County Code, shall be provided and continuously maintained, as shown on the approved revised Exhibit "A," including six spaces accessible to persons with disabilities, one of which shall be van-accessible. One Type "A" loading space shall also be provided. No compact parking spaces are permitted. Accessible parking spaces shall be clearly marked and reserved for use by persons with disabilities;
  - d. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized uses;
  - e. The permittee shall maintain free of litter all areas of the premises over which the permittee has control. All outdoor trash containers shall be covered and all trash enclosure areas shall be screened from public and private view corridors by landscaping, berms, compatible structures, or a combination of these;
  - f. To ensure that trash and cooking smells are kept to a minimum, trash bins shall be picked-up a minimum of three times a week;



- g. All exterior lighting shall be shielded and directed away from neighboring residences to prevent direct illumination and glare. The primary parking lot lighting shall be turned off no later than 10:30 p.m. A security lighting system is permitted and may remain on through the night provided it is on motion detectors. Within 60 days of the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of a lighting plan, which may be incorporated into the revised Exhibit "A" required by Condition No. 19. The lighting plan shall show the locations, types, and heights of all proposed pole and wall mounted lighting;
- h. This grant does not authorize the sale of alcoholic beverages for on- or off-site consumption;
- i. The use of amplified sound equipment audible outside the buildings is prohibited;
- j. Operating hours of all commercial buildings on the subject property shall not exceed 8:00 a.m. to 10:00 p.m. seven days a week. All deliveries to the subject property shall occur within these operating hours;
- k. The permittee shall comply with all recommended conditions set forth in the attached County of Los Angeles Department of Public Works letter dated July 5, 2001, or as otherwise required by said Department;
- l. Any roof-mounted equipment shall be screened to the extent needed to mitigate visual impacts from off-site residential locations, as determined by the Director;
- m. The storage or use of hazardous materials by the permittee or by tenants of the commercial buildings is prohibited;
- n. Any outside display or storage shall comply with Sections 22.28.220.C and D of the County Code;
- o. The permittee shall post a street sign reading "PRIVATE STREET" on the subject properties' Ferguson Drive frontage;
- p. The plaza shall be one-story with the height of the back of the buildings not more than 15 feet above the grade of the adjoining residential properties;
- q. The plaza's architectural features (towers) shall not exceed 25 feet;
- r. All parking lot and loading areas shall be suitably screened from adjacent residences to minimize noise, fumes, etc.;

- s. Development of the site should reflect locally recognized architectural themes and enhance overall community character, as determined by the Director;
- t. Signs and graphic displays should be confined to the façade surface of the business establishment, and should not project above the roof line nor disrupt the architectural design of the structure; and
- u. The permittee shall maintain a current contact name, address, and phone number on file with the Department at all times.

ATTACHMENT

**ZONING CASE NO. 97-172-(5)**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Section 22.16.230 of Title 22 - Planning and Zoning of the Los Angeles County Code, changing regulations for the execution of the General Plan, relating to Castaic Canyon Zoned District No. 100.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 22.16.230 of the County Code is amended by amending the map of the Castaic Canyon Zoned District No. 100, as shown on the map attached hereto.

**SECTION 2.** The Board of Supervisors finds that this ordinance is consistent with the General Plan of the County of Los Angeles.

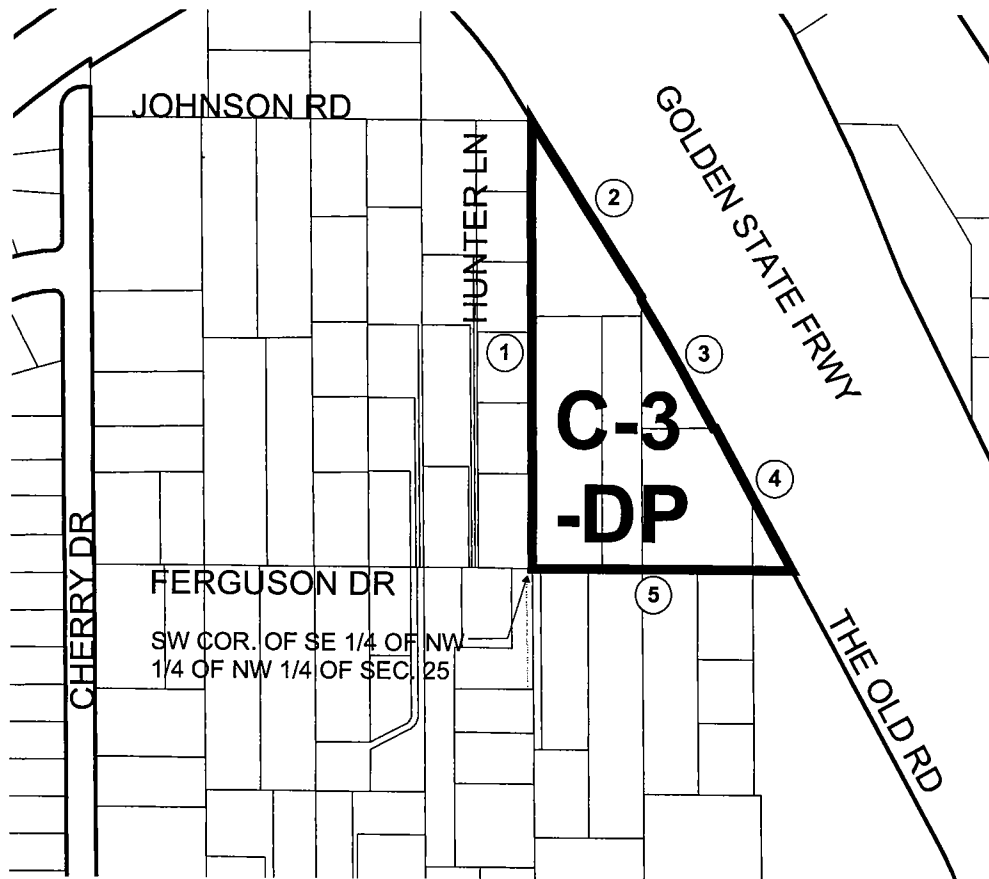
CHANGE OF PRECISE PLAN  
CASTAIC CANYON ZONED DISTRICT

ADOPTED BY ORDINANCE: \_\_\_\_\_

ON: \_\_\_\_\_

ZONING CASE: **ZC 97172**

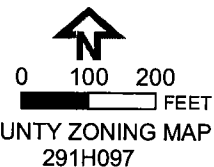
AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



LEGAL DESCRIPTION:

POR. OF THE SE1/4 OF THE NW 1/4 OF THE NW 1/4  
OF SEC. 25, T05N R17W, DESCRIBED AS FOLLOWS;

- ① BEGINNING AT THE SW COR. OF THE SE 1/4 OF THE NW 1/4 OF THE NW 1/4 OF THE SAID SECTION, THENCE ALONG THE W LINE OF SE 1/4 OF NW 1/4 OF NW 1/4 OF THE SAID SECTION TO THE NW COR. OF SE 1/4 OF NW 1/4 OF NW 1/4 OF THE SAID SECTION;
- ② —THENCE SOUTHERLY ALONG THE S LINE OF THE OLD RD RECORDED IN ASSESSOR'S MAP 2865-16, S 32 45' 04" E, 371.95';
- ③ THENCE CONTINUING ALONG THE S LINE OF THE SAID ROAD, ALONG TANGENT CURVE TO THE RIGHT, HAVING A RADIOUS OF 2945', ARC DISTANCE 197.64' EXCEPT NORTHERLY 3' SEBACK FROM THE S LINE OF THE SAID ROAD;
- ④ —THENCE SOUTHELY ALONG THE S LINE OF THE SAID ROAD, S 28 54' 22" E, 246.65';
- ⑤ THENCE ALONG THE S LINE OF NW 1/4 OF NW 1/4 OF THE SAID SECTION TO THE POINT OF BEGINNING



DIGITAL DESCRIPTION: \ZCOZD\_CASTAIC\_CANYON\

THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES  
LESLIE G. BELLAMY CHAIR  
JAMES E. HARTL PLANNING DIRECTOR